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UNITED STATES DISTRICT COURT

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NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

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14 STARDOCK SYSTEMS, INC.,

Case No. 4:17-CV-07025-SBA

15 Plaintiff,

16 v.

17 PAUL REICHE III and ROBERT
FREDERICK FORD,

**STIPULATION AND MODIFIED ORDER
REGARDING BRIEFING SCHEDULE ON
PLAINTIFF STARDOCK SYSTEMS,
INC.'S MOTION FOR PRELIMINARY
INJUNCTION**

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Defendants.

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20 PAUL REICHE III and ROBERT
FREDERICK FORD,

Complaint Filed: Dec. 8, 2017
Trial Date: June 24, 2019

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Counter-Claimants,

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v.

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STARDOCK SYSTEMS, INC.,

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Counter-Defendant.

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1 Plaintiff and Counter-Defendant Stardock Systems, Inc. (“Stardock”) and Defendants and
2 Counter-Claimants Paul Reiche III and Robert Frederick Ford (collectively, “Reiche/Ford”)
3 hereby jointly request and stipulate as follows:

4 **WHEREAS**, Stardock filed a Notice of *Ex Parte* Motion and Motion for Temporary
5 Restraining Order and Order to Show Cause Why Preliminary Injunction Should Not Be Granted
6 on September 7, 2018 (“Preliminary Injunction Motion”);

7 **WHEREAS**, the Court, on September 10, 2018, issued an Order requesting the parties
8 meet and confer regarding: (a) interim relief precluding the filing of any further DMCA notices
9 pending resolution of the motion for preliminary injunction; and (b) a briefing schedule for the
10 motion for preliminary injunction (Dkt. 58);

11 **WHEREAS**, the parties met and conferred on these issues on September 10, 2018;

12 **REICHE/FORD AND STARDOCK HEREBY STIPULATE AS FOLLOWS:**

13 1. Reiche/Ford agree not to serve any further DMCA notice(s) directed to material
14 that is the subject of the present litigation, and in particular, the *Star Control: Origins* video game
15 that is scheduled to be released on September 20, 2018, pending resolution of the Preliminary
16 Injunction Motion;

17 2. The deadline for Reiche/Ford to file an opposition to Stardock’s Preliminary
18 Injunction Motion shall be Monday, September 17, 2018 by 12:00 p.m. PDT;

19 3. The deadline for Stardock to file a reply in support of its Preliminary Injunction
20 Motion shall be Friday, September 21, 2018 by 12:00 p.m. PDT;

21 Reiche/Ford request that the Court set any hearing on the Preliminary Injunction Motion as
22 soon as the Court’s calendar allows. Stardock has no objection to this request, but would also not
23 object to having the motion heard on October 10, 2018, the Court’s regular civil law and motion
24 date, if the Court feels that it needs more time to consider the important matters at issue in the
25 motion.

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1 DATED: September 11, 2018

BARTKO ZANKEL BUNZEL & MILLER
A Professional Law Corporation

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By: /s/ Stephen C. Steinberg
Stephen C. Steinberg
Attorney for Defendants and Counter-Claimants
PAUL REICHE III and ROBERT FREDERICK
FORD

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7 DATED: September 11, 2018

NIXON PEABODY LLP

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By: /s/ Robert A. Weikert
Robert A. Weikert
Attorney for Plaintiff and Counter-Defendant
STARDOCK SYSTEMS, INC.

ORDER

2 PURSUANT TO STIPULATION, IT IS SO ORDERED. Pursuant to Federal Rule of
3 Civil Procedure 78(b), the Court may resolve the motion without oral argument. If a hearing is
4 required, the Court will set a date upon its receipt and review of the parties' briefs.

DATED: September 11, 2018

**HON. SAUNDRA BROWN ARMSTRONG
UNITED STATES DISTRICT JUDGE**

1 **FILER'S ATTESTATION**

2 I, Stephen C. Steinberg, am the ECF User whose ID and password are being used to file
3 this STIPULATION AND [PROPOSED] ORDER REGARDING BRIEFING SCHEDULE.
4 Concurrence in and authorization of the filing of this document has been obtained from Robert A.
5 Weikert, counsel for plaintiff, and I shall maintain records to support this concurrence for
6 subsequent production for the Court if so ordered or for inspection upon request by a party.

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8 DATED: September 11, 2018 BARTKO ZANKEL BUNZEL & MILLER
9 A Professional Law Corporation

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11 By: /s/ Stephen C. Steinberg
12 Stephen C. Steinberg
13 Attorneys for Reiche and Ford

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